

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Keith A. Willgohs,

Debtor.

BKY 10-48023

Terri A. Running, Trustee,

ADV 11-4101

Plaintiff,

v.

ORDER FOR JUDGMENT

Robert E. Briggs, Arlene O. Briggs,
and Keith A. Willgohs,

Defendants.

At Minneapolis, Minnesota, June 7, 2011.

This adversary proceeding came on for trial. Matthew Burton appeared on behalf of the plaintiff and Logan Moore appeared on behalf of the defendants.

Based on findings of fact and conclusions of law stated orally and recorded in open court,¹

IT IS ORDERED:

1. The debtor's transfer to defendants Robert E. Briggs and Arlene O. Briggs of \$2,300.00 is void.

¹ The case was submitted on stipulated facts. At oral argument, the defendants raised for the first time the possibility of a subsequent new value defense. Since they did not plead it, argue it in their brief, or offer any specific evidence on the issue, I declined to consider whether or not such a defense exists, either factually or legally.

2. The plaintiff shall recover from defendants Robert E. Briggs and Arlene O. Briggs the sum of \$2,300.00, plus costs of \$250.00, for a total of \$2,550.00.

3. The plaintiff shall recover nothing from defendant Keith A. Willgohs.

LET JUDGMENT BE ENTERED ACCORDINGLY

/s/ Robert J. Kressel

ROBERT J. KRESSEL
UNITED STATES BANKRUPTCY JUDGE